

Attorney:

TARA FEHUSH  
 K&L GATES  
 599 LEXINGTON AVENUE  
 NEW YORK NY 10022



5 9 3 2 8 2

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT  
 OF NEW YORK

TYLER TECHNOLOGIES, INC  
 Plaintiff

NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE, ET AL  
 Defendant

Index / case #: 1:22-CV-00877

## AFFIDAVIT OF SERVICE

ROBERT WEIS County, State of: NEW YORK Robert WEIS being sworn,  
 says: Deponent is not a party herein, is over the age of 18 years and resides in the State of: NEW YORK  
 On 8/26/22 at 1115 am/pm at: W.A. HARRIMAN CAMPUS BUILDING 9 ALBANY NY 12227

Deponent served the within: SUMMONS & COMPLAINT  
 CIVIL COVER SHEET; NOTICE OF FILING ORDER; PLAINTIFF'S RULE 7.1 CORPORATE DISCLOSURE STATEMENT

On which were set forth the Index No., herein, and date of filing

On: MICHAEL SHOLLAR EXECUTIVE DEPUTY COMMISSIONER - NEW YORK STATE DEPARTMENT OF  
 TAXATION  
 (herein after called the recipient) therein named.

Individual By delivering a true copy of each to said recipient personally; Deponent knew the person so served to be the person described in as said recipient therein

Suitable Age person By delivering thereat a true copy of each to: \_\_\_\_\_ a person of suitable age and discretion. Said premises is recipients [ ] Actual Place of Residence [ ] Actual Place of Business within the State.

Affixing to Door By affixing a true copy of each to the door of said premises which is recipients [ ] Actual Place of Residence [ ] Actual Place of Business, within the State  
 Deponent was unable with due diligence to find recipient or person of suitable age and discretion thereat having called there

Corporation or Partnership By delivering thereat a true copy of each to: NEEDZ KELLY **MANAGING AGENT** personally. Deponent knew said corporation / partnership so served to be the corporation / partnership described in said aforementioned document as said recipient and knew said individual to be \_\_\_\_\_ thereof.

Mailing Within 20 days of such delivery, or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipients last known [ ] Actual Place of Residence [ ] Actual Place of Business at \_\_\_\_\_ and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "personal and confidential" and did not indicate on the outside, thereof, by return address or otherwise that the communication was from an attorney or concerned an action against the defendant.

Description  Male  White skin  Black hair  14-20 Yrs  Under 5'  Under 100 Lbs  
 Female  Black skin  Brown hair  21-35 Yrs  5'0"-5'3"  100-130 Lbs  
 Yellow skin  Gray hair  36-50 Yrs  5'4"-5'8"  131-160 Lbs  
 Brown skin  Blonde hair  51-65 Yrs  5'9"-6'0"  161-200 Lbs  
 Red skin  Red hair  Over 65 Yrs  Over 6'  Over 200 Lbs

Other Identifying Features \_\_\_\_\_

Military Service I asked the person spoken to whether recipient was in active military service of the United States or the State of New York in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Subpoena Fee Tendered in the amount of \_\_\_\_\_

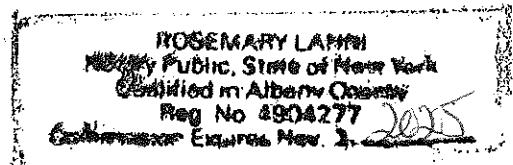
\_\_\_\_\_

Sworn to before me on 8-30-22

(Print name below signature)

File No. 1285789.00337

Work Order No. 593282



Case 1:22-cv-00877-DNH-DJS Document 3 Filed 08/24/22 Page 1 of 2

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of New York

TYLER TECHNOLOGIES, INC.,

)

)

)

)

*Plaintiff(s)*

v.

Civil Action No. 1:22-cv-877 (DNH/DJS)

NEW YORK STATE DEPARTMENT OF TAXATION  
AND FINANCE and NEW YORK STATE OFFICE OF  
INFORMATION TECHNOLOGY SERVICES

)

)

)

)

*Defendant(s)*

)

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Michael Shollar, Executive Deputy Commissioner, NEW YORK STATE  
DEPARTMENT OF TAXATION AND FINANCE, at Building 9, W.A. Harriman State  
Office Campus, Albany, New York 12227

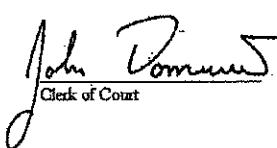
Jennifer Lorenz, Deputy Chief Information Officer, NEW YORK STATE OFFICE OF  
INFORMATION TECHNOLOGY SERVICES at Empire State Plaza, Swan Street

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Tara L. Pehush  
599 Lexington Avenue  
New York, NY 10022-6030  
Telephone: 212.536.3900  
Facsimile: 212.536.3901  
tara.pehush@klgates.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

  
John Donnelly  
Clerk of Court  


8/24/2022

Date: \_\_\_\_\_

s/Kathy Rogers

*Signature of Clerk or Deputy Clerk*